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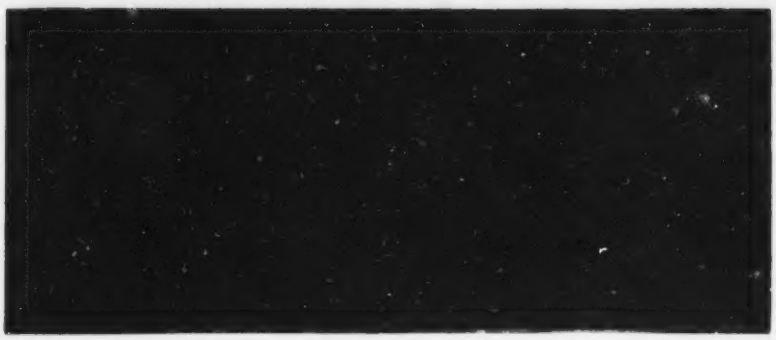

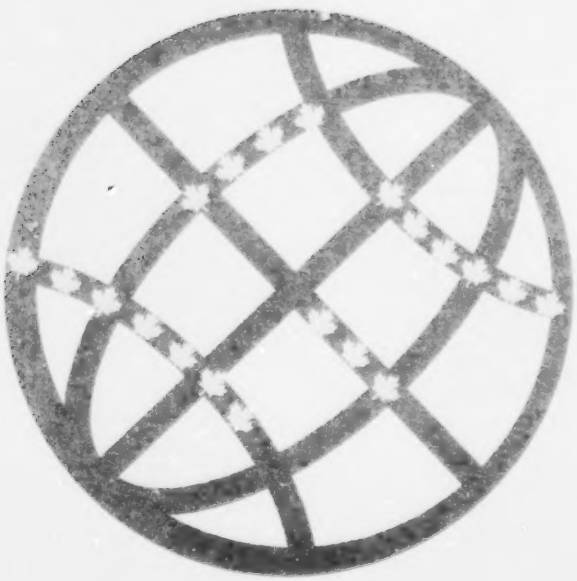

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ROUNDTABLE ON NIGERIA
February 23, 1998

AGH/S.Sigouin/995-7800

ROUNDTABLE ON NIGERIA
February 23, 1998
10:00 - 15:00

AGENDA

1. Welcome from the Chair (Steve Lee) / Roundtable Introductions
2. Comments - Minister Kilgour
3. Roundtable/Comments on Nigeria and Regional update
4. Summary of Discussion issues and questions (Sandelle Scrimshaw)
5. Policy options
6. Concluding comments, summary of Discussions (Sandelle Scrimshaw)

LIST OF PARTICIPANTS

Robin Sully, Canadian Bar Association
Kristina Stockwood, Canadian Committee to Protect the Journalists
John Van Mossel, CUSO (Canadian Universities Services Overseas)
Steve Benedict, Canadian Labour Congress
Terisa Turner, University of Guelph
Kole Shettima, Ad-Hoc Committee on Nigeria (University of Toronto)
David Black, Dalhousie University
Paul Idahosa, York University
Peter Stoett, University of Guelph
Doug Anglin, Carleton University
Flora McDonald, Ottawa, Ontario
Randy Gossen, Canadian Occidental Petroleum
Mairuth Sarsfield, Royal Commonwealth Society
Nigel Fisher, Unicef
Gerry Ohlsen, Privy Council Office

Department

Mr. Kilgour/Marcia Burdette, Secretary of State (Latin America-Africa)
Eric Hoskins/ Joe Stern, Office of the Minister of Foreign Affairs
Sandelle Scrimshaw, Director General Africa Bureau
Sébastien Sigouin, Human Rights Officer
James Bonthron, West and Central Africa Division
Bob Fraser, CIDA

BACKGROUND

The Commonwealth Ministerial Action Group (CMAG) has presented a report to the Commonwealth Heads of Government Meeting (CHOGM) in Edinburgh on October 24-27, 1997. CMAG's recommendations with regard to Nigeria were adopted unanimously: unless there has been a credible transition to democratic civilian government, rule of law and respect for human rights by October 1998, Nigeria could be expelled from the Commonwealth and come under severe economic sanctions.

In Nigeria a number of recent events are cause for concern. Although General Abacha announced in November that political prisoners would be released, none in fact have, and the number of people in detention has increased dramatically. There has been a steady stream of journalists picked up and held without charge. Oppression of the Ogoni people in the Niger Delta has continued unabated, with a vicious crackdown on January 3, 1998 putting another 30 people in jail. The arrest on December 21, 1997, of General Oladipo Diya, Abacha's deputy, and 11 accomplices in an alleged coup plot, has been followed by the arrest of more than 100 suspects. Many others are in hiding or on the move as a result, while journalists have been warned to exercise extreme caution in reporting about the coup. The death in prison from unexplained causes of one of the country's most prominent prisoners of conscience, former military Vice-President Shehu Musa Yar'Adua, caused wide-spread shock and dismay.

The so-called Transition Plan has seen the elections for State Assemblies go ahead on December 6, 1997, but with only the five government-approved political parties in the running and a very low voter turn-out. The draft constitution, which contains the framework for the transition process, has yet to be published. Government continues to be by decree, with civilian court rulings subject to overruling by the military regime. Included in the Transition Plan are general elections planned for the fall 1998.

The UN General Assembly 3rd Committee has again passed a UK-led resolution, co-sponsored by Canada, expressing concern at continuing grave violations in Nigeria and calling on the Government of Nigeria to meet its obligations and ensure the observance of fundamental human rights and freedoms. At the 53rd session of the Commission on Human Rights (CHR), Canada co-sponsored a resolution which approved, by a vote of 28 to 6 with 19 abstentions, the creation of a UN Special Rapporteur on the Situation of Human Rights in Nigeria. The new Special Rapporteur, Mr. Soli J. Sorabjee, was appointed in October, 1997. He has written twice to General Abacha to arrange a visit, but has not yet had a positive response.

Canada is a member of the CMAG and has played a leading role in urging the Commonwealth to maintain a firm stance on Nigeria's human rights performance. We have implemented the full range of non-economic sanctions authorized by CMAG. The next CMAG meeting will take place in April 1998, followed by CHOGM in June.

REPORT

Central to the discussion at the roundtable was the role Canada and other actors should and must play, whether on their own or within international fora such as the Commonwealth and the UN.

1. Elections

Canada's participation to the Nigerian electoral process is central to our efforts to bringing democracy in Nigeria. Participants raised the question as to if and when Canada should get involved in monitoring the presidential elections that should take place in August 1998 (preceded by the National Assembly elections in April). Although there were doubts on the Nigerian Government's willingness to see the elections monitored, it was raised that for Canada to be in a position to comment on the electoral process - which is expected to be short from being democratic - we have to be involved early in the process, whether through the Commonwealth or otherwise. When speaking of elections, criteria for them to be free and fair come to mind, and Canada should be involved in setting those out. Of course, if it far from being certain that the Nigerian Government will accept these criteria. We should also look at the possibility of the Nigerians monitoring the elections themselves. Notwithstanding, Canada and the International Community have to concert their efforts to compel the Nigerian Government to opening the democratic process to allow the population's participation in elections and in society in general. Canada will discuss the possibility of election monitoring and its own participation at the next CMAG meeting. Past experiences, such as Ghana, have shown however that dictatorial military governments have been elected after somehow free and fair elections. It is expected that General Abacha will not step down despite international pressure and will be a strong candidate at the election.

2. Commonwealth

The Commonwealth forum is perceived as one of the most important tool for the Canadian Government to bring change in Nigeria. However, some fear that due to political realities, the Commonwealth might not be in a position to take a strong stand on the situation in Nigeria, even after raising the possibility of expulsion from the Forum at the last CHOGM meeting. It is therefore essential for Canada and other Commonwealth members to join their efforts and present a common position, set benchmark and clear and unambiguous criteria to be met. This could force the Forum to using its influence in bringing a change in Nigeria. However, it is expected that many of the Commonwealth member will avoid taking any position. In taking a definite position, Canada has to take into account not only these elements, but also its bilateral relations with other countries of the International Community.

2.1. CMAG

It is essential for CMAG to lead the way in raising the awareness of the Commonwealth and the International Community on the situation in Nigeria and in taking a determined stance. In its approach, CMAG has to propose to CHOGM clearly establish criteria to measure progress in the leading to the elections and in the follow-up. CMAG is an opportunity for Canada and other concerned countries to let the International Community know that the situation in Nigeria needs to be widely addressed and acted upon. However, the same political realities apply to CMAG and it is feared that the Body will take a more nuanced approach and will present a compromise, less meaningful position. Although CMAG is central to our influence over the Commonwealth, it should not preclude Canada from promoting its own national policy.

However, Canada has to be careful in positioning its policy in order to maintain its good relationship with CMAG members. Participants hoped that Canada would be able to promote its views within CMAG. An alternative scenario needs to be prepared if the position taken by the latter is not in line with what Canada would have hoped. Therefore, before going to CMAG, Canada needs to clearly establish its own set of criteria that will measure progress in Nigeria, such as release of the political prisoners, democratic electoral process, and freedom of the press.

2.2. CHOGM

At its last session, the CHOGM presented a number of criteria to force changes in Nigeria. However, few of those have been met by concrete actions. To maintain its credibility, CHOGM needs to recognize that measures taken in the past have failed and now has to elaborate a new pro-active approach. CHOGM should establish a list of actions to be taken by the Nigerian Government in the leading-up to the elections. The communique issued after CHOGM should be strong, and unambiguous as to the position taken, and also present sanctions for the non-respect of those requirements. Participants suggested that Canada could take a temporary stance until the next CHOGM and monitor the forum willingness to impose sanctions on Nigeria if progress criteria are not met.

3. Sanctions

Participants have raise the possibility of imposing an oil embargo to Nigeria if no progress is seen towards democracy. It was felt that such measure could have a serious impact on the dictatorial military regime in Nigeria. At the last CMAG meeting, this measure was proposed to CHOGM. In response, CHOGM stated that following 1 October 1998, CMAG should assess Nigeria's observance of the Harare principles and in the case these principles are not met, expulsion and other measures such as oil embargo could be introduced (par. 16 of the 27 October 1997 *Communiqué*).

Participants to the roundtable felt significant measures should be implemented against Nigeria's non-compliance to Harare principles. In previous statements, Minister Axworthy signalled that Canada could considered imposing sanctions on Nigeria. To do so, however, Canada would need further support from other members such as the United States and the Netherlands which so far have resisted the idea of imposing an embargo. Although human rights violations in Nigeria are flagrant, Canada will have to justify any sanctions on stronger arguments, as the human rights situation is also of concern in many other countries such as Cameroon and Kenya. It should be mentioned that in these two latter cases, a government was democratically elected. This only emphasizes the importance of the Nigerian presidential elections to come in August and the need for the process to be closely monitored.

4. Partnerships

When elaborating Canadian policy towards Nigeria, one has to conclude that so far much of the measures implemented by the International Community came short from their goal of inducing a change in Nigeria. Facing limited resources and presence on the field - our embassy was closed a year ago for security reasons - Canada has to investigate new approaches and create partnerships with other actors that are already present and active in Nigeria. Over the last five years, the our Government's policy has evolved, moving to a "first track" regulation process - such as the Harare Declaration - to a "second track" approach, using preventive or "quiet" diplomacy. Although Nigeria would be a perfect case for preventive diplomacy, it has not been possible to do so in the past for multiple reasons, such as the lack of effective opposition, the deep rooted and often hidden causes of the crisis, and the absence of coherent international policy towards Nigeria. A new approach that would concert actions could allow Canada's quiet diplomacy to bring concrete results.

4.1. NGOs

NGO participants raised that many ongoing projects would need further support, whether financial or technical, such as community services and visits to political prisoners. Limited resources are spent by Canada in Nigeria. It was felt that at this stage it was important for Canada to maintain a limited direct participation in order to avoid the Nigerian government refusing any deep-rooted community work interventions. Working with NGOs to implement or develop existing projects would be one way for Canada to make a useful contribution towards democracy in Nigeria. Canada's 2.2 millions Democratic Development Fund, which is probably the larger one in the area, could be used in that regard to support NGOs in their quest to strengthen Nigerian civil society. Kenya was raised as an example of successful grass-roots work done by local NGOs with overall government support. It was also raised by participants that Canada should commission a series of working groups addressing the situation in Nigeria. These working groups could be at different levels, diplomatic, NGOs and others and be

gather participants from various regions of the world.

4.2. Private Sector

Many multinational companies are actively involved in Nigeria and share the feeling that they have to be part of the solution to the Nigerian situation. For the last few years, they have elaborated a code on conduct to regulate their own activities around the world. This code, which has growing support, shows a desire from companies to subject their own actions to scrutiny and should be integrated in the Canadian approach. One way of moving from regulation to implementation, would be for Canada to make respect of these standards mandatory for any company seeking government funding. However, Canada is not providing any governmental support to companies involved in Nigeria. Participants also agreed that interested actors should seek in other countries and institutions to monitor if any similar code is being elaborated.

4.3. Labour Unions

Finally, it was raised that labour unions had in the past played active role, such as the 1995 oil strike which had had a strong impact on the Nigerian Government. This is only one example of means, outside from direct government intervention, to bring pressure upon a dictatorial regime to open discussion with civil society. For this kind of action to be successful, labour unions would need for the Canadian Government, if not to directly support them, to refrain from impeding unions' actions.

5. Conclusion

This roundtable discussion allowed participant to share their views and position, which were often similar, on the situation in Nigeria. The challenge remains has to how to bring a democratic change in this country where the human right situation is of great concern, and how to induce Nigerian government to live-up to its international commitments. Nigeria's future could have a tremendous impact on the whole region. It his therefore critical for Canada and other members of the International Community to act rapidly. The election process will be a determining factor into bringing Nigeria on the road to democracy. Leading towards these elections, Canada and the Commonwealth - including CMAG and CHOGM - will have to establish clear and unambiguous criteria covering the situation of political prisoners, democratic process and freedom of the press. Decisions will also have to taken regarding possible sanctions for non-compliance to international standards. In elaborating there strategies, Canada and the Commonwealth should seek support from other international players and fora, such as the UN, the World Bank and international financial institutions. Forces for change also reside in other actors that are already involved in Nigeria. The Private sector and NGOs can create a knowledge body that could work from the inside

and outside, with governmental support. The Pan-Commonwealth NGO forum (tentatively scheduled for October/November 1998) would be a good opportunity to address these issues. Although the next CMAG meeting in April will be crucial in deciding the next steps, Canada needs to elaborate a Canadian strategy on Nigeria and make decisions.